

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN THE MATTER OF THE SEARCH OF  
INFORMATION ASSOCIATED WITH  
EMAIL ACCOUNTS STORED AT  
PREMISES CONTROLLED BY  
MICROSOFT CORPORATION

Case No. 24-mj-2021

**[PROPOSED] ORDER TO REQUIRE MICROSOFT CORPORATION  
TO SHOW CAUSE WHY MICROSOFT SHOULD NOT BE  
HELD IN CIVIL CONTEMPT**

And now, upon consideration of the Motion of the United States for Order to Require Microsoft to Show Cause Why Microsoft Should Not Be Held in Civil Contempt, **IT IS ORDERED** as follows:

A hearing date is scheduled for \_\_\_\_\_, 2025. At the hearing, counsel for Microsoft should be prepared to update the court on the status of its compliance with Search Warrant, 24-mj-2021, previously issued to Microsoft, and the steps that Microsoft will take to ensure future compliance with federal search warrants within the periods those warrants prescribe. Counsel for Microsoft shall also prepare to address any factual disagreements with the following information.

1. On December 13, 2024, Magistrate Judge Pamela A. Carlos granted the Government's application and issued the Search Warrant, No. 24-mj-2021.
2. On December 13, 2024, the United States served the Court's Search Warrant on Microsoft.
3. Attachment B to the Search Warrant ordered Microsoft "to disclose the [specified] information to the government within fourteen days of issuance of this warrant."

4. The deadline for Microsoft to disclose the information specified by the Search Warrant passed on December 27, 2024.
5. Microsoft did not disclose any information to the United States by the date of the deadline, nor did Microsoft notify the Court of its non-compliance.
6. On January 8, 2025, after calling and emailing Microsoft to follow up on the failure to comply with the Search Warrant, a representative from Microsoft called the Government's case agent to say that they were unable to provide any date for the return and said it could be months due to processing them in order of receipt and prioritizing based on type of crime.
7. On January 15, 2025, the United States served a letter on Microsoft informing Microsoft that it may seek an order to show cause absent compliance with the Search Warrant within seven days of receipt of that letter.
8. On January 16, 2025, the Government's case agent spoke with in-house counsel at Microsoft, who had received the Government's letter. Microsoft's in-house counsel confirmed that they had been backlogged for months. Microsoft's in-house counsel attempted to redirect the Government to obtain the materials directly from the company being investigated, but was unable to do so. The Government's case agent explicitly declined to approve an extension given the delay and the failure to provide any timeline for a response.
9. On or about January 17, 2025, the Government spoke further with Microsoft's in-house counsel, in which the Government emphasized the importance of establishing a deadline.

10. On January 22, 2025, the Government received a Microsoft email claiming that the Search Warrant had been marked for expedited handling.
11. On January 22, 2025, Microsoft's in-house counsel emailed the Government reiterating the Search Warrant had been "expedited," and that, "[a]t this time, we do not have a specific response date . . . ."
12. On January 23, 2025, the Government emailed Microsoft's in-house counsel, expressing concern "about not having any deadline for resolving this[.]"
13. On January 30, 2025, the Government sent another reminder email.
14. On January 31, 2025, Microsoft's in-house counsel responded with only: "Just checked. Still waiting on data pull to come back."
15. As of February 20, 2025, Microsoft was non-compliant with the Search Warrant.

**IT IS FURTHER ORDERED** that, while the United States' Motion and accompanying Exhibits B, C, and D shall be publicly accessible, Exhibit A (containing the underlying Search Warrant Application, Affidavit, and Search Warrant) shall be maintained under seal until further order of the Court.<sup>1</sup> In addition, the caption of this matter shall be modified to conform with this Order's caption, in order to preserve the integrity of this ongoing, covert grand jury investigation while otherwise opening the matter to the public.

The Clerk is **DIRECTED** to serve a copy of this Order upon Microsoft and the United States at its addresses and contact information of record.

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<sup>1</sup> Microsoft may continue to share the Search Warrant and Search Warrant Attachments A and B with its counsel.

**IT IS SO ORDERED and DIRECTED.**

BY THE COURT:

**Carol Sandra Moore Wells** Date: 2025.02.21 16:27:10  
-05'00'

HONORABLE CAROL SANDRA MOORE WELLS  
*United States Magistrate Judge*

Dated:

## **Exhibit B**

**Scicchitano, Anthony (USAPAE)**

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[REDACTED]

[REDACTED]

[REDACTED]

From: lensntfy@microsoft.com <lensntfy@microsoft.com>

Sent: Friday, December 13, 2024 10:44 AM

To: [REDACTED]@dea.gov>

Subject: [EXTERNAL] Microsoft Law Enforcement Portal - Submission Confirmation

Do not reply to this mail - this is an unmonitored mailbox. You will **NOT** receive a response. If you have questions about a particular Microsoft request, send an email to [msndcc@microsoft.com](mailto:msndcc@microsoft.com) (US agencies) or [msnwwcc@microsoft.com](mailto:msnwwcc@microsoft.com) (International agencies).

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We are in receipt of your submission. Your submission locator ID is LNS-[REDACTED]. This portal is strictly for the submission of legal process to Microsoft. Any inquiries other than legal process submitted to this portal will not be answered.

If submitting legal process, your request has been received and is in the queue for processing.

If your request is an emergency, please submit directly to [LEALERT@MICROSOFT.COM](mailto:LEALERT@MICROSOFT.COM).

Thank you,

Law Enforcement National Security  
Microsoft Corporation

## **Exhibit C**



**U.S. Department of Justice**

*United States Attorney*

*Eastern District of Pennsylvania*

*Anthony D. Scicchitano  
Direct Dial  
Fax  
E-mail Address*

*Assistant United States Attorney  
(215) 861-8380  
(215) 861-8618  
anthony.scicchitano@usdoj.gov*

*615 Chestnut Street  
Suite 1250  
Philadelphia, Pennsylvania 19106-4476  
(215) 861-8200*

January 15, 2025

Via Email - USLEAinfo@microsoft.com

Microsoft Corporation

1 Microsoft Way

Redmond, WA 98052

Re: LNS- [REDACTED]

On December 13, 2024, the Drug Enforcement Administration served upon your company compulsory process—specifically, a search warrant—that required your company to produce information specified on the document by December 27, 2024. Your reference number is LNS- [REDACTED].

As of January 15, 2025, we have received no production from you.

On January 8, 2025, the DEA agent spoke with a representative of your company, who informed us that Microsoft would not comply with the deadline established by the compulsory process.

Upon information and belief, Microsoft Corporation has not filed with the Court any motion to quash or modify the compulsory process, nor has Microsoft notified the Court of its non-compliance with the deadline set forth in the compulsory process.

Unless it is quashed by a court, compliance with the compulsory process served on your company is mandatory. The failure to comply with that criminal process is a crime. *See* 18 U.S.C. § 401(3). The failure to timely comply with the compulsory process also threatens to obstruct, impede, and interfere with the ongoing criminal investigation. The investigation is now being put at risk and significantly delayed by your noncompliance.

We have reviewed the process and confirmed that it is consistent with law. Moreover, the search warrant is compulsory and properly directed to Microsoft, as the provider for the services identified in the legal process.<sup>1</sup> Absent compliance of compulsory legal process within seven days of receipt of this letter, the United States may seek an order to show cause why Microsoft should not be held in contempt of court. If Microsoft believes the compulsory process is unlawful, Microsoft may contact my office within seven days to discuss those concerns. Microsoft also has the right to move to quash or modify the process in the Eastern District of Pennsylvania.

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<sup>1</sup> Obtaining the email directly from the enterprise would compromise our investigation.



Our office is sending a copy of this letter to the Computer Crime & Intellectual Property Section in the Department of Justice's Criminal Division, which assists in prosecutions of contempt for failure to comply with ECPA compulsory process.

Sincerely,

JACQUELINE C. ROMERO  
United States Attorney

  
LESLEY S. BONNEY  
ANTHONY D. SCICCHITANO  
Assistant United States Attorneys

cc: Computer Crime and Intellectual Property Section  
Department of Justice, Criminal Division

Carlos Gil [REDACTED] ([@microsoft.com](mailto:[REDACTED]@microsoft.com))

Tracy Ingle [REDACTED] ([@microsoft.com](mailto:[REDACTED]@microsoft.com))

## **Exhibit D**

**From:** [Microsoft U.S. Law Enforcement Information](#)  
**To:** [Scicchitano, Anthony \(USAPAE\)](#)  
**Cc:** [Bonney, Lesley \(USAPAE\)](#); [Jayne, Kevin \(USAPAE\)](#); [Gonzalez, Jorge \(CRM\)](#); [Bleiberg, Benjamin \(CRM\)](#); [REDACTED]  
**Subject:** [EXTERNAL] RE: LNS- [REDACTED]  
**Date:** Wednesday, January 22, 2025 11:58:00 AM

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Hello Tony,

Thank you for contacting us, to follow up on this thread, I am posting here that we have marked request LNS- [REDACTED] for expedited handling.

Please be on the lookout for any auto-emails from the LE Portal regarding the status of your request.

Kind Regards,  
AK  
LENS Team  
Microsoft Corporation

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**From:** Scicchitano, Anthony (USAPAE) <Anthony.Scicchitano@usdoj.gov>  
**Sent:** Wednesday, January 15, 2025 5:14 PM  
**To:** Microsoft U.S. Law Enforcement Information <usleainfo@microsoft.com>  
**Cc:** Bonney, Lesley (USAPAE) <Lesley.Bonney@usdoj.gov>; Jayne, Kevin (USAPAE) <Kevin.Jayne@usdoj.gov>; Gonzalez, Jorge (CRM) <Jorge.Gonzalez3@usdoj.gov>; Bleiberg, Benjamin (CRM) <Benjamin.Bleiberg@usdoj.gov>; [REDACTED]@dea.gov>; Carlos Gil (CELA) [REDACTED]@microsoft.com>; Tracy Ingle (CELA) [REDACTED]@microsoft.com>; Moss, Abraham (USAPAE) [Contractor] <Abraham.Moss@usdoj.gov>  
**Subject:** [EXTERNAL] LNS- [REDACTED]

You don't often get email from [anthony.scicchitano@usdoj.gov](mailto:anthony.scicchitano@usdoj.gov). [Learn why this is important](#)

Please see the attached letter regarding the failure to comply with the search warrant submitted in LNS- [REDACTED].

Tony

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**Anthony D. Scicchitano**  
Assistant United States Attorney  
U.S. Attorney's Office for the  
Eastern District of Pennsylvania  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106  
215.861.8380  
[anthony.scicchitano@usdoj.gov](mailto:anthony.scicchitano@usdoj.gov)

**From:** [Veronica Miranda \(CELA\)](#)  
**To:** [Scicchitano, Anthony \(USAPAE\)](#)  
**Cc:** [Bonney, Lesley \(USAPAE\)](#); [REDACTED]  
**Subject:** [EXTERNAL] Re: Search Warrant: LNS-[REDACTED]  
**Date:** Friday, January 31, 2025 11:27:19 AM  
**Attachments:** [image001.png](#)  
[Outlook-tyrhr4rd.png](#)

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Hi Tony-

Just checked. Still waiting on data pull to come back.

Veronica

**Veronica I. Miranda**

Senior Corporate Counsel | Law Enforcement & National Security Team (LENS)  
Privacy, Safety & Regulatory Affairs (PSRA)|Corporate, External & Legal Affairs (CELA)  
Based in Reston, Virginia

[REDACTED] (mobile) | [REDACTED]



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**From:** Scicchitano, Anthony (USAPAE) <Anthony.Scicchitano@usdoj.gov>  
**Sent:** Thursday, January 30, 2025 4:23 PM  
**To:** Veronica Miranda (CELA) <[REDACTED]>  
**Cc:** Bonney, Lesley (USAPAE) <Lesley.Bonney@usdoj.gov>; [REDACTED]  
**Subject:** [EXTERNAL] RE: Search Warrant: LNS-[REDACTED]

You don't often get email from anthony.scicchitano@usdoj.gov. [Learn why this is important](#)

Veronica – Just checking back in on this since I think you’re back in the office now. Thanks.

Tony

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**From:** Scicchitano, Anthony (USAPAE)  
**Sent:** Thursday, January 23, 2025 9:33 AM  
**To:** Veronica Miranda (CELA) <[REDACTED]>  
**Cc:** Bonney, Lesley (USAPAE) <LBonney1@usa.doj.gov>; [REDACTED]  
**Subject:** RE: Search Warrant: LNS-[REDACTED]

Veronica – Thanks, we appreciate the update. While it’s helpful to hear that the warrant is now being expedited, we’re still concerned about not having any deadline for resolving this. We’re willing to give some final additional time to hear back from you with a deadline. We’ll plan to check in next week once you’re back in the office.

Tony

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**Anthony D. Scicchitano**

Assistant United States Attorney  
U.S. Attorney's Office for the  
Eastern District of Pennsylvania  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106  
215.861.8380  
[anthony.scicchitano@usdoj.gov](mailto:anthony.scicchitano@usdoj.gov)

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**From:** Veronica Miranda (CELA) [REDACTED]  
**Sent:** Wednesday, January 22, 2025 4:34 PM  
**To:** [REDACTED] Scicchitano, Anthony (USAPAE)  
<[ascicchitano@usa.doj.gov](mailto:ascicchitano@usa.doj.gov)>  
**Subject:** [EXTERNAL] Search Warrant: LNS-[REDACTED]

Hello Tony and Angela,

As we discussed, I am giving you a quick update. The search warrant processing is being expedited. The Response Specialist assigned is working on it today. At this time, we do not have a specific response date; but, I will continue to keep you updated.

I am going on leave starting tomorrow until next Wednesday. I will be checking email and tracking this production but I may not respond to any inquiries right away.

Thank you.

Veronica

**Veronica I. Miranda**

Senior Corporate Counsel | Law Enforcement & National Security Team (LENS)  
Privacy, Safety & Regulatory Affairs (PSRA)|Corporate, External & Legal Affairs (CELA)  
Based in Reston, Virginia  
[REDACTED] (mobile) | [REDACTED]

